



FACILITY COMPLIANCE INSPECTION REPORT

Division of Waste Management Solid Waste Section

| UNIT TYPE: | | | | | | | | | | | |
|-------------------|--|-----------------------|----------|---------------|--|---------------------|--|---------|--|------|---|
| Lined MSWLF | | LCID | X | YW | | Transfer | | Compost | | SLAS | COUNTY: Forsyth PERMIT NO.: 34-AA-LCID FILE TYPE: COMPLIANCE |
| Closed MSWLF | | HHW | | White goods | | Incin | | T&P | | FIRM | |
| CDLF | | Tire T&P / Collection | | Tire Monofill | | Industrial Landfill | | DEMO | | SDTF | |

Date of Site Inspection: April 16, 2014 and May 1, 2014

Date of Last Inspection: October 4, 2012

FACILITY NAME AND ADDRESS:

Piney Hill Acres LCID Landfill Facility
 2020 Piney Grove Road
 Kernersville, North Carolina 27284

GPS COORDINATES: N: 36.17530 W: 80.06038

FACILITY CONTACT NAME AND PHONE NUMBER:

Name: David Lawson, Manager
 Telephone: (336) 996-6747 (h) or (336) 682-2317 (m)
 Email address: dlawson76@triad.rr.com

FACILITY CONTACT ADDRESS:

Same as above

PARTICIPANTS:

David Lawson, Manager
 Charles Gerstell, NCDENR-Solid Waste Section

STATUS OF PERMIT:

A Permit to Construct/Operate the Piney Hill Acres LCID Landfill Facility was issued to David Lee Lawson LLC - Landowner and David L. Lawson -- Operator on February 1, 2010. The Permit to Construct approved the construction of Area 2 while the Permit to Operate approved the continued operation of Area 1, and when the Permittee has complied with the conditions contained in Attachment 2, operation of Area 2. The permit shall expire on February 1, 2015. An Acknowledgement Letter was issued on December 12, 2012 as a formal approval to landfill 0.8668 acres of Fill Area #2 and expand the Treatment and Processing Facility to 5 acre (DIN 17920).

PURPOSE OF SITE VISIT:

Comprehensive Inspection

STATUS OF PAST NOTED VIOLATIONS:

N/A

OBSERVED VIOLATIONS

North Carolina Administrative Code 13B .0203(d) states: *"By receiving solid waste at a permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit."*

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General Permit Condition #6 states: *"Operations of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition."*

Facility Specific Condition #3 for the LCID Landfill states in part: *"This Permit to Operate authorizes the continued operation of Area 1 at the LCID Landfill, and when the permittee has complied with the conditions contained in Attachment 2, operation of Area 2 of the LCID Landfill."*

An Acknowledgement Letter was issued on December 12, 2012 as a formal approval to landfill 0.8668 acres of Fill Area #2 and expand the Treatment and Processing Facility to 5 acre (DIN 17920). This letter was incorporated by reference into the approved facility plan.

An initial inspection was performed on April 16, 2014. During the inspection, it appeared that land clearing waste was being placed outside the approved limits of Area 1 and the additional approved 0.8668 acre portion of Area 2 approved by letter from John Murray, Permitting Engineer dated December 17, 2012 (DIN 17920). This area was slightly southeast of the approved area where broken concrete and asphalt is staged for crushing.

A subsequent partial inspection was performed on May 1, 2014 to reexamine this area of concern to ensure whether or not waste was being placed outside of the approved disposal areas. During this inspection, Mr. Lawson pulled some twine from a stake along the eastern limits of Area 1 to the south to clearly delineate the limits of Area 1. Upon evaluating this line, it was clearly determined that a portion of the land clearing waste had been disposed outside of the approved areas. This activity constitutes violations of **15A NCAC 13B .0203(d), General Permit Condition #6, and Facility Specific Condition #3 for the LCID Landfill in that waste was placed outside of those disposal areas approved by permit and detailed in the approved facility plan.**

During the May 1st inspection, Mr. Lawson stated that he would move the material to the approved disposal area and contact the Solid Waste Section when this activity was completed.

Mr. Lawson notified the Solid Waste Section by phone on May 8, 2014 that land clearing waste had been removed from the area of concern. A follow-up inspection will be performed in the near future to verify compliance.

The item(s) listed above were observed by Section staff and require action on behalf of the facility in order to come into or maintain compliance with the Statutes, Rules, and/or other regulatory requirements applicable to this facility. Be advised that pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or Order under Article 9 of Chapter 130A of the N.C. General Statutes. Further, the facility and/or all responsible parties may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

ADDITIONAL COMMENTS

1. The Permit to Operate/Construct and the Operations Plan were reviewed. Both documents were current and readily available upon request.
2. The facility is protected by multiple gates to prevent unauthorized access.
3. The access road was of all-weather construction and well maintained.
4. Edge of waste markers were in place at the time of inspection.
5. The working face was less than one acre in size at the time of inspection.
6. No unacceptable waste streams were observed within the LCID Landfill.
7. It appeared that waste was being covered with soil regularly which is appreciated.
8. Erosion and sedimentation control measures were in place and maintained.


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9. Inspection of the LCID Treatment and Processing Facility.

- This facility is located southeast of the LCID Landfill.
- Unground concrete and asphalt was being stockpiled on the southern portion of the property adjacent to the access road into the site and east of the facility office.
- A small amount of ground mulch was on site.
- Adequate fire lanes were maintained around all stockpiles of ground and unground material.
- During the April 16th inspection, a ravine was being filled with concrete north of the treatment and processing facility. Some painted concrete and silt fence was observed within the area. Mr. Lawson was advised that painted concrete could not be used for beneficial fill and was directed to remove all painted concrete and silt fence from the area.
 - On April 22, 2014, an email was received by Ashely Kennedy on behalf of Mr. Lawson that included photos confirming that all painted concrete had been removed from the area of concern.
 - Inspection of the on May 1, 2014 also confirmed that all painted concrete had been removed from the area as requested.
- **Three windrows of leaves were observed on the site. Mr. Lawson stated that the leaves were only being used as a soil amendment on site and not being distributed to the public. Be advised, in order for this material to be distributed to the public, it must be properly composted in compliance with Section .1400 of North Carolina Administrative Code 13B. In order to conduct compost activities at this facility, prior approval must be obtained from the Permitting Branch of the Solid Waste Section.**

Please contact me if you have any questions or concerns regarding this inspection report.


Charles T. Gerstell
Environmental Senior Specialist
Regional Representative

Phone: (704) 235-2144

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| Sent on: <u>5/15/14</u> | | Email | | Hand delivery | X | US Mail | | Certified No. [] |
|-------------------------|--|-------|--|---------------|----------|---------|--|-------------------|

Copies: Jason Watkins, Western District Supervisor
Sarah M. Rice, Compliance Officer